

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff/Petitioner,
v.

PLATINUM WEALTH PARTNERS, INC.
and DAVID L. POTTER,

Defendants/Respondents.

Case No.: **8:21-cv-1211-WFJ-SPF**

FINAL JUDGMENT

The Plaintiff Securities and Exchange Commission (the “Commission”) applied to the Court for a Judgment pursuant to Section 20(c) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77t(c), Section 21(e) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78u(e)(1), Section 209(d) of the Investment Advisers Act of 1940 (“Advisers Act”), 15 U.S.C. § 80b-9(d), and Section 42(d) of the Investment Company Act of 1940 (“Investment Company Act”), 15 U.S.C. § 80a-41(d), to enforce compliance by the Defendants/Respondents, Platinum Wealth Partners, Inc. (“PWP”) and David L. Potter (“Potter”) (jointly referred to as the “Respondents”), with a final Commission order entered on consent against them on September 24, 2020. This order required Respondents to jointly and severally pay disgorgement and prejudgment interest of \$1,270,847.20, plus outstanding interest pursuant to SEC Rule of Practice 600, 17 C.F.R. § 201.600, and a civil money penalty of \$60,000, plus outstanding interest pursuant to 31 U.S.C. § 3717, and injunctive relief. Respondents having entered into a Consent to the entry of a Judgment by this Court, and it appearing to the Court that such a Judgment should enter, it is hereby:

I.

ORDERED, ADJUDGED, AND DECREED that the Commission Order is enforced.

II.

FURTHER ORDERED, ADJUDGED, AND DECREED, that Respondents shall jointly and severally pay the disgorgement and prejudgment interest balance of \$1,230,847.20, plus outstanding interest pursuant to SEC Rule of Practice 600, 17 C.F.R. § 201.600, and pay a civil penalty of \$60,000, plus outstanding interest pursuant to 31 U.S.C. § 3717 until the entry of Judgment, together with postjudgment interest pursuant to 28 U.S.C. § 1961 from the date of the entry of this Judgment.

III.

FURTHER ORDERED, ADJUDGED, AND DECREED, that Respondents are to cease and desist from committing or causing any violations and any future violations of Sections 17(a)(2) and 17(a)(3) of the Securities Act and Section 206(2) of the Advisers Act. Respondent Potter is also suspended from association with any investment adviser, broker, dealer, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization for a period of 12 months, effective on the second Monday following the entry of the Commission's Order. Respondent Potter is additionally prohibited from serving or acting as an employee, officer, director, member of an advisory board, investment adviser or depositor of, or principal underwriter for, a registered investment company or affiliated person of such investment adviser, depositor, or principal underwriter for a period of 12 months, effective on the second Monday following the entry of the Commission's Order.

IV.

FURTHER ORDERED, ADJUDGED, AND DECREED, that Respondents shall make payment in one of the following ways:

- (1) Respondents may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request;
- (2) Respondents may make direct payment from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>; or
- (3) Respondents may pay by certified check, bank cashier's check, or United States postal money order, made payable to the Securities and Exchange Commission and hand-delivered or mailed to:
Enterprise Services Center
Accounts Receivable Branch
HQ Bldg., Room 181, AMZ-341
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

Payments by check or money order must be accompanied by a cover letter identifying the Respondents in this action, and the name of this Court and the docket number of this action; a copy of the cover letter and check or money order must be sent to Michael J. Roessner, Securities and Exchange Commission, 100 F Street, NE, Mail stop 5631, Washington, DC 20549-0022. Upon such payments being fully made, the Commission will provide Respondents with a full satisfaction of judgment and discharge any judgment liens it may have docketed.

V.

FURTHER ORDERED, ADJUDGED, AND DECREED that the Court, subject to the foregoing, may order such relief as may be necessary for enforcement of any order of this Court as to disgorgement and prejudgment interest through civil contempt and/or other collection procedures authorized by law.

VI.

FURTHER ORDERED, ADJUDGED, AND DECREED that the Court, subject to the foregoing, may order such relief as may be necessary for enforcement of any order of this Court

as to the civil monetary penalty pursuant to the Federal Debt Collection Procedures Act, 28 U.S.C. §§ 3001 – 3308.

VII.

FURTHER ORDERED, ADJUDGED, AND DECREED that the hearing set for June 18, 2021, is cancelled.

VIII.

FURTHER ORDERED, ADJUDGED, AND DECREED that the Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment. Post Judgment interest shall accrue pursuant to 28 U.S.C. § 1961.

Dated: June 14, 2021

s/William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Counsel of Record and unrepresented parties